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# IN THE HIGH COURT OF JUDICATURE AT BILASPUR

**WRIT PETITION NO. 1793 /2003**

PETITIONER : Sai Chemicals Pvt. Ltd, a Company incorporated under the Indian Companies Act, 1956, with its Registered Office at Industrial Estate, Tedesara, District Rajnandgaon, through its Director Shri B.S.Sial, R/o 78/3, Nehru Nagar (West), Bhilai, District Durg (C.G.).

P. R. No. ...163+03...
Presented by Shri Shiv Kumar Sahu
dated ...16.06.03...

-VERSUS-

RESPONDENT : State Bank of India through its Assistant General Manager, Commercial Branch, Bhilai, District Durg (C.G.)

**WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.**

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक** W.P. No. 1793 **सन्** 2003

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश |
|---|---|---|
| | 20/2/2004<br>Shri Rajeev Shrivastava for the petitioner.<br>Shri R.S. Jaiswal for the respondent.<br>Heard.<br>The petitioner has filed this writ petition against the State Bank of India on the ground that it has directed the petitioner to pay interest.<br>Learned counsel for the petitioner himself submitted that the petitioner has raised the dispute before the Consumer Forum, Durg, which is pending.<br>Learned counsel for the respondent pointed out that in para 9 of the petition regarding availing of remedy, it has not been disclosed. On the contrary, it is written that there is no efficacious and effective alternative remedy. It is contended that non-disclosure of pendency of dispute before Consumer forum in the petition amounts to suppression of fact and actions is required to be taken for non-disclosure. | |

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 1293/ सन् 2003

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश – 2 – | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश |
|---|---|---|

Having heard the counsel for the parties and perusal of the record, it is now borne out that the dispute is pending and the matter is such which may be raised before the Consumer Forum or Civil Court in accordance with law.

In view of the facts and circumstances, the petitioner has failed to make out a case for exercise of extraordinary jurisdiction under Article 226/227 of the Constitution of India. It is however open the to the petitioner to avail the remedy before the Consumer Forum or before the Civil Court.

In view of the above, he petition fails and is dismissed.

Costs as incurred.

**Sd/-**
**Fakhruddin**
**Judge**

H/Pathak/-

GEPRI—BS/[illegible] —[illegible]/2000—50,000.